

Naples City Council

January 13, 2011

Minutes

The regularly scheduled meeting of the Naples City Council was held January 13, 2011, at 7:30 p.m. at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Ken Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Braden Searle, Will Jackson, Vance King, Garrett Cozovich, Dale Harrison, Don & Denay Hardinger, James Richards, Tori Isaacson, Leonard Isaacson, Guy Collett, Carlton Collett, Hyrum Rousseau, Natalie Rousseau, Connie Patton, Mark Watkins, Chris Hoem, Craig Blunt and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Kenneth Reynolds offered the invocation.

OPENING CEREMONY

Robert Hall **moved** to approve the agenda as presented. Ken Reynolds **seconded** the motion. The motion passed with all voting aye.

AGENDA APPROVED

Mayor Baker asked for approval of the minutes of December 9, 2010. Dennis Long **moved** to approve the minutes of December 9, 2010. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Councilman Long mentioned that he spoke with Jim Harper about the multigas detector and was told it would be brought before the Council at the next meeting.

FOLLOW UP ITEMS FROM PREVIOUS MEETING

Connie Patton presented the bills in the amount of \$79,817.29 and requested approval to pay them. Councilman Kitchen asked about the payment for lawn care. Connie stated it was an invoice for work completed in October but not received until now. Robert Hall **moved** to approve the bills in the amount of \$79,817.29. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Senti Transportation - 552 East 1500 South. A business license application was received from Senti Transportation. Craig Blunt said a business office would be the only thing allowed at this residential address. Craig said the owner would not be able to park his large truck there. Craig said the owner signed the agreement outlining the home occupation stipulations and was aware of the restrictions. Dennis Long **moved** to approve the license for Senti Transportation with the home occupation stipulations. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

BUSINESS LICENSE APPROVALS

JP Oilfield Services, Inc. - 1250 South 1500 East. A business license application was received for JP Oilfield, Inc. Craig Blunt said this business would be located in the old Reddi Services building and said everything was okay with it. Kenneth Reynolds **moved** to approve the business license for JP Oilfield Services, Inc. Robert Hall **seconded** the motion. The motion passed with all voting aye.

Vance King with CIVCO Engineering presented two change orders for the 2500 South irrigation project. The first change order was for \$745 to relocate a water meter and \$4,000 to lower two sewer laterals. Vance noted that these are being addressed on a case by case basis because it is hard to determine how the construction will affect the laterals until the company actually starts digging.

CHANGE ORDER REQUESTS FOR 2500 SOUTH

Vance also submitted change order #2 in the amount of \$4,000 for a sewer lateral at the Johnson property. Vance wanted to know what procedure the Council would like him to follow regarding the change orders. Councilman Kitchen said if the cost was minimal he didn't have any problem with the work being completed and Mr. King bringing the change orders to the next Council meeting. Gordon Kitchen **moved** to approve change orders one and two in the amounts of \$4,745 and \$4,000. Ken Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
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Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Vance King presented the first and second draw request for the 2500 South irrigation project. The first draw request was for \$19,355.49 for work completed by Burdick Materials up through November. The second request was for work completed up to the end of December. The second request was for \$128,170.96. Robert Hall **moved** to approve both draws one and two. Dan Olsen **seconded** the motion. The motion passed as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Craig Blunt referred the Council to the agreement with Rocky Mountain Power for the underground power on 2500 South. Craig stated that Rocky Mtn Power was asking for payment up front for this project. Craig told the Council that as part of the agreement with Rocky Mtn Power for the underground power on 2500 South, the City would be responsible for the tie-ins and hook ups to the homes. Craig said those bid packets were going out now. Craig said the communication lines would also be pulled through the conduit as the power line is being dug and those lines pulled. Councilman Hall wanted to know if Strata was participating financially. Craig said they are. He said Strata would be running their main trunks in conjunction with Rocky Mtn Power. Council Kitchen asked if the City would still be within budget if the City has to bid for tying power into the homes. Craig said twenty of the homes have acceptable meter bases and about twenty-six would have to be changed out and upgraded. Craig said the preconstruction meeting for this project will be held on the 24th. Councilman Long wanted to know if Craig was comfortable with the agreement. Craig said he was okay with it. Councilman Hall wanted to know if Rocky Mtn Power would be hitting the City with any change orders. Craig said when the City works with professionals, the City has the expectation that the company knows what they are doing and he hopes Rocky Mtn Power has figured the cost correctly. Dan Olsen **moved** to have the City execute the work agreement with Rocky Mtn Power. Dennis Long

***REQUEST FOR DRAW #1
AND DRAW #2 - 2500
SOUTH IRRIGATION
PROJECT***

***CUSTOMER AGREEMENT
WITH ROCKY MTN
POWER***

seconded the motion. The motion passed with all voting in the affirmative.

Vance King told the Council that as he has worked with Rocky Mtn Power in getting easements for the power boxes they have come across a couple of issues. Mr. King said the easement for the power box located near Don and Denay Hardinger's property would encroach onto their property about 7'. The Hardingers' asked that the City run a fence straight across the front of their property from the 7' mark and not jog it back from the box. Mr. King said the fence and gate need to be able to contain the Hardinger's dogs. Mr. King said they currently have a bid in for fencing at the Bristol property and they could include this on that bid. Mr. King said the Hardinger's also wanted the City to pave in front of the box. Mr. King said this would be about 60' of asphalt. He said it would be a patch approximately 14' x 60'. Councilman Kitchen said it would be a way to keep the weeds down. Mr. King wanted to know if the issue with Mr. Pope had been resolved. Mayor Baker said the discussion with Mr. Pope was to fence around the box but not along the entire front of the property just along the back and two sides near the box. With no other discussion, Dan Olsen **moved** to allow the fencing along the Hardinger's property with asphalt in front of it. Gordon Kitchen **seconded** the motion. The motion passed with all voting aye.

***E A S E M E N T
AGREEMENTS FOR THE
UNDERGROUND POWER
BOXES***

Robert Hall **moved** to approve the payment to Rocky Mtn Power in the amount of \$509,546 for underground power. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

***APPROVAL OF PAYMENT
TO ROCKY MTN POWER
FOR UNDERGROUND
POWER***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Dale Harrison wanted to know where the money came from for the 2500 South project. Mayor Baker said it came from the Community Impact Board in the form of a grant and a loan.

Craig Blunt told the Council about his recent meeting with Rocky Mtn Power. Craig said once a year him and Chris meet with the Planner from Rocky Mtn Power to discuss what is going on in the area. He said they also review projects the

***C O M M U N I T Y
PERFORMANCE PLAN***

City might be interested in. Craig said one of the items they discussed was the recent power outage when a truck hooked one of the lines and pulled out some of the poles. Craig stated that outage triggered media messages asking companies not to use their power or conserve their power until the damages could be repaired. Craig said that incident verified what they have discussed with Rocky Mtn Power in the past and that is, a lack of backup power for the area. Craig said another item they put on the performance plan was to keep the open communication with Rocky Mtn Power and to have their representatives keep the Council updated on what they are doing. Craig said the last item on the plan was to see what the City could do to take ownership of the street lights and to pay only for use and not for the other fees. No action was taken on this matter.

Craig Blunt gave the Council a stock watering agreement between the City and two property owners on 2500 South. The agreement was written up to provide a better way for these property owners to continue to water their stock while the water is out of the canal. The City put in a culinary water connection with a hydrant and power was provided to those hydrants. The agreement also provides a lump sum amount to be paid to the property owners in order to pay for the monthly water bill. Gordon Kitchen **moved** to approve the stock water agreements with the Allred's and the Johnson's. Kenneth Reynolds **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Council members were presented with the RealSkills support agreement for the year 2011. Craig Blunt said the cost would be \$70 per hour for the use of Mr. Cook's services for consulting. Craig said the users license would be waived for the next year. Mayor Baker said this contract would be for fiscal year beginning July 1, 2011. Councilman Kitchen wanted to know how much the license fee is that Mr. Cook is waiving. It was unknown how much that cost was. Robert Hall **moved** to approve the agreement with RealSkills with an expiration date of 6/30/12 and not April 30. Robert Hall also **moved** to allow Craig to sign the agreement in behalf of the City. Kenneth Reynolds **seconded** the motion. The

CANAL STOCK WATERING AGREEMENT

REALSKILLS SUPPORT AGREEMENT FOR 2011

motion passed with all voting aye.

Gordon Kitchen **moved** to approve the balance of the payment to RealSkills in the amount of \$2,607.50. Dennis Long **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***APPROVE BALANCE OF
P A Y M E N T T O
REALSKILLS***

Robert Hall **moved** to table the public hearing for discussion of the R-1 zone. Kenneth Reynolds **seconded** the motion. The motion passed with all voting aye.

***PUBLIC HEARING
TABLED***

Robert Hall **moved** to table the discussion regarding the R-1 zone and only discuss the change to chapter 02-29 of the Land Use Ordinance for infill development. Chris Hoem told the Council that the changes to chapter 02-29 have been reviewed by Dennis Judd and the Planning Commission and Chris recommended approving the changes as presented. Dennis Long **moved** to approve the changes to Chapter 02-29 of the Land Use Ordinance. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call:

***APPROVAL OF CHANGE
TO CHAPTER 02-29 OF
LAND USE ORDINANCE
F O R I N F I L L
DEVELOPMENT***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Council members received a copy of the updated Land Use map and Ordinance 11-127 approving previous changes to the Land Use Ordinance and approving the updated Land Use map including the addition of the RS zone in Park View Subdivision. Kenneth Reynolds **moved** to adopt Ordinance 11-127. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

***ORDINANCE 11-127
UPDATED ZONING MAP
AND LAND USE
ORDINANCE***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Robert Hall **moved** to approve Resolution 11-230 amending the FY budget for 2010/2011. Dan Olsen **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

***RESOLUTION 11-230
BUDGET ADJUSTMENT***

A subordination agreement with Beehive Homes and Guy Collett was presented to the Council for their approval. The agreement was drafted by Dennis Judd and later approved by the SBA that would be providing financial assistance for the Beehive Home. The SBA wanted it clear that if Beehive Home ceased to an assisted living facility that Naples City would not take a first or second position in front of Grand Valley Bank or the SBA. Councilman Hall wanted to know how their time line was looking to begin construction. Guy told the Council that March 1 should be the date they can start digging. Dan Olsen **moved** to have the City execute the subordination agreement with Beehive Homes and Guy Collett, LLC. Dennis Long **seconded** the motion. The motion passed with all voting aye.

***SUBORDINATION
AGREEMENT WITH
BEEHIVE HOMES***

Council members discussed the use of the new ball practice field at the Naples Park. Councilman Hall reiterated that the girls will want to use the practice field when ball season starts. Council Kitchen stated he would be fine with that unless a family or private group wanted to use the pavilion and asked to use the ball field at the same time. Councilman Kitchen wanted to know if a family or group would be able to reserve it along with the pavilion. Councilman Hall agreed that it should be available for private groups in connection with the pavilion.

***DISCUSSION REGARDING
NEW PRACTICE BALL
FIELD***

Dale Harrison said the conflict might come in when you have people using the pavilion and they don't want the noise from teams practicing on the field near by. One of the students in attendance said there might be people wanting the use of both for family reunions.

It was determined that the ball diamond could be reserved along with the pavilion for an additional fee of \$10. Robert Hall **moved** to approve the additional charge of \$10 to reserve the ball diamond. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Craig Blunt gave the Council members calculations for water run off on Highway 40. Craig said the area targeted was 500 South to 2000 South. Craig said the calculations were received from EPIC Engineering and show the percentage of Highway 40 surface water that adds to Naples City drainage. Craig said he has been working with Shaun Marshall of UDOT and Mr. Marshall requested the City provide UDOT with a percentage detail for the run off and they would consider paying that percentage as part of the fee for managing their water. Craig said the City might be able to recoup some of the money already paid for the 1000 South drainage costs. No action was taken on this matter.

UDOT DRAINAGE RUN OFF CALCULATIONS

Craig also stated that he has been working with the URCS in making application for additional funding for the Naples City drainage project.

Craig Blunt gave the Council samples of 'No Solicitation' signs he received from TJ Productions. Craig said the Council could choose to go with a sticky back sign or a metal plate. The cost would range from \$2.50 to \$5.50. Craig said he was considering purchasing 100 signs. Councilman Hall wanted to know how local residents could be notified that they were available. Craig said they could do it through the newsletter. Mayor Baker wanted to know if the Solicitation Ordinance number could be included on the sign. Craig asked if the Council preferred a particular color. Council members recommended using a solid blue, green, or black on a white background. No action was taken on this matter.

NO SOLICITATION SIGNS

Chris Hoem presented the Council with the 2011 Planning Commission Membership list for their approval. Robert Hall **moved** to have the Mayor reappoint the Planning Commission members as presented. Dennis Long **seconded** the motion. The motion passed with all voting aye.

APPROVAL OF PLANNING C O M M I S S I O N MEMBERSHIP LIST FOR 2011

Mayor Baker appointed Dale Harrison, Wally Gale, Kerry Kinney, Mark Partridge, Jim Richards, Cresta Slaugh, and Lane Webb to the Planning Commission Board. Mayor Baker expressed his appreciation for each individual's willingness to serve.

Mayor Baker reminded the Council of the Vernal Airport Environmental Assessment meeting to be held on January 19, 2011. Mayor Baker asked Council members to attend if they could.

OTHER MATTERS

Councilman Robert Hall reported that the new fire truck has arrived and thought it might be nice if the fire department could bring it to Council meeting some night and show it off.

With no other business before the Council, Gordon Kitchen moved to adjourn the meeting at 9:15 p.m. Dennis Long **seconded** the motion. The meeting was adjourned.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 27th DAY OF JANUARY 2011

BY: _____

ATTEST: _____